

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

ALESHA W. BRANDENBURG, :

Plaintiff, :

Case No. 3:09cv00349

vs. :

District Judge Walter Herbert Rice

Magistrate Judge Sharon L. Ovington

MICHAEL J. ASTRUE, :  
Commissioner of the Social :  
Security Administration, :

Defendant. :

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**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS  
FILED ON JUNE 3, 2010 (Doc. #8); VACATING THE COMMISSIONER'S  
FINAL NON-DISABILITY DETERMINATION; REMANDING PLAINTIFF'S  
CASE TO THE SOCIAL SECURITY ADMINISTRATION UNDER  
SENTENCE FOUR OF 42 U.S.C. §405(g) FOR PAYMENT OF DISABILITY  
INSURANCE BENEFITS CONSISTENT WITH THE SOCIAL SECURITY  
ACT; AND TERMINATING THE CASE ON THE DOCKET OF THIS COURT**

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The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #6), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations filed on June 3, 2010 (Doc. #8) is

ADOPTED in full;

2. The Commissioner's Final Non-Disability Determination is VACATED;
3. Plaintiff's case is remanded to the Social Security Administration under Sentence Four of 42 U.S.C. §405(g) for payment of Disability Insurance Benefits consistent with the Social Security Act; and
4. The case is terminated on the docket of this Court.



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Walter Herbert Rice  
United States District Judge